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July 27, 2022

VIA ECF

Hon. Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Al Malik Alshahhi, et. al., No. 1:21-cr-00371 (BMC)

Dear Judge Cogan:

We write to respectfully renew Matthew Grimes' request to modify his conditions of pretrial release to remove his ankle bracelet. Under the current and continuing bond conditions, Mr. Grimes has been released on a \$5 million appearance bond partially secured by Mr. Grimes' parents' house and three co-signors, including his only sibling. *See* Dkt. No. 20. It has been over a year from Mr. Grimes' arrest and, with all the court and filing events, it must be clear that he is neither a risk of flight nor any danger to any community. The remaining bond conditions would be more than sufficient to continue to "reasonably assure the appearance of the person as required and the safety of any other person and the community[.]" 18 U.S.C. § 3142(g). In addition, Mr. Grimes assured the Court at today's status conference of his desire to appear and defend himself, and acknowledged what would be at stake (e.g., loss of family property, reputation, life in the United States) if he did not.

With respect to the merits and arguments in support of this motion, we ask the Court to refer to Mr. Grimes' October 27, 2021 letter and subsequent statements to this Court on November 2, 2021 and July 27, 2022. We add only that we continue to believe that the government's risk assessment is based on pure conjecture of supposed pressure that could be put on Mr. Grimes to flee by third parties. When Your Honor asked the government during the November 2, 2021 status conference if they had, at the time, any intelligence to support that concern, the government refused to provide any details. Tr. 17:17-18:4. And to date, with less than two months to go before trial, we have yet to see *any* material to suggest Mr. Grimes poses any risk of flight, let alone any indication that the highest leaders of the UAE even knew of his existence. To the contrary, Mr. Grimes' conduct over the last year, and his statements on July 27, 2022, demonstrate unequivocally that he poses no flight risk whatsoever. *See United States v. Diaz*, 2018 WL 5282882, at *5 (S.D.N.Y. Oct. 24, 2018) ("[B]ecause the Government has not argued that Diaz poses any danger to the community, the Government has minimal interest in keeping him under a curfew or electronically monitoring his every move.").

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The government has indicated that they continue to oppose Mr. Grimes' request to remove GPS monitoring. We thus respectfully ask the Court to order the requested modification.

Sincerely,

/s/ Abbe David Lowell

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cc: All counsel of record (via ECF)